

**Mar 16, 2020**

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAMES DEAN CLOUD (01), and  
DONOVAN QUINN CARTER  
CLOUD, (02)

Defendants.

No. 1:19-cr-02032-SMJ-01

1:19-cr-02032-SMJ-02

**ORDER RESETTING HEARINGS**

In light of the evolving public health crisis caused by the outbreak of the Coronavirus Disease 2019 (COVID-19) and the recently declared national emergency, the Court finds the interests of justice require the pretrial conference and hearings on the Motion to Suppress James Dean Cloud's Statements, ECF No. 146; Motion to Suppress JV's Tainted ID, ECF No. 147; and Motion to Continue Pretrial Conference and Trial Dates and Deadlines, ECF No. 144, each currently set for March 17, 2020, be **RESET** until April 21, 2020. Specifically, the Court finds failing to reschedule the hearing poses an undue risk of transmission of the virus, including to Defendant, counsel, Court staff, law enforcement personnel, and the public at large. Moreover, the impact of public health advisories has reduced the availability of Court staff to conduct the hearing as scheduled.

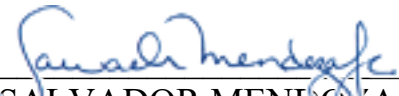
Accordingly, **IT IS HEREBY ORDERED:**

1. The **Pretrial Conference** currently set for March 17, 2020, is **STRICKEN** and **RESET** to **April 21, 2020 at 10:45 A.M. in Yakima.**
2. The hearings on Defendant Cloud's (01) Motion to Suppress Defendant James Dean Cloud's Statements, **ECF No. 146**; Defendant Cloud's (02) Motion to Suppress JV's Tainted ID, **ECF No. 147**; and Defendant Cloud's (01) Motion to Continue Pretrial Conference, Trial Dates and Deadlines, **ECF No. 144**, currently set for March 17, 2020 are **STRICKEN** and **RESET** to **April 21, 2020 at 10:45 A.M. in Yakima.**
3. All previously set case management deadlines remain in effect.
4. The Court finds, given the outbreak of the COVID-19 virus, that failing to reschedule the hearing would result in undue risk to Defendant, counsel, law enforcement, Court staff, and the public at large. The Court also finds the impact of public health advisories on the availability of Court staff requires the hearing be rescheduled. The Court, therefore, finds the ends of justice served by resetting the hearing in this matter outweigh the best interest of the public and Defendant in a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A).

1       **5.** Pursuant to 18 U.S.C. § 3161(h)(7)(A), the Court **DECLARES**  
2       **EXCLUDABLE from Speedy Trial Act calculations** the period  
3       from **March 17, 2020**, the date of the original hearing, through **April**  
4       **21, 2020**, the date of the rescheduled hearing, as the period of delay  
5       required by the interests of justice.

6       **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order and  
7       provide copies to all counsel, the U.S. Probation Office, and the U.S. Marshals  
8       Service.

9       **DATED** this 16th day of March 2020.

10         
11       SALVADOR MENDEZ, JR.  
12       United States District Judge